

Docket No.: 22116-00005-US5  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Nicolaas M.J. Vermeulin et al.

Application No.: 09/713,512

Confirmation No.: 4513

Filed: November 14, 2000

Art Unit: 1621

For: NOVEL POLYAMINE ANALOGUES AS  
THERAPEUTIC AND DIAGNOSTIC AGENTS

Examiner: Peter G. O'Sullivan

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

04/29/2005 MBIZUNES 00000059 220185 09713512  
01 FC:2814 65.00 DA

Dear Sir:

MediQuest Therapeutics, Inc. is the owner of 100% interest in the above-captioned application, (as evidenced by the Assignment recorded at Reel 010208, Frame(s)-0864 and the change of name recorded at Reel 014097, Frame(s) 0683.

MediQuest hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term of any patent that issues from U.S. patent application Serial No. 09/396,523, filed September 15, 1999, including any patent term extensions, restorations or adjustments for said patent available under all applicable statutes including 35 U.S.C. §§154 through 156 and 173 as shortened by any terminal disclaimer, of prior U.S. Serial No. 09/396,523. The owner hereby agrees that any patent that is granted on the above-captioned application shall be enforceable only for and during such period that the legal title to it and to any patent granted on U.S. Patent Application Serial No. 09/396,523 shall be commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the

Application No.: 09/713,512

Docket No.: 22116-00005-US5

full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted on U.S. Patent Application Serial No. 09/396,523 as shortened by any terminal disclaimer, filed prior to the patent grant, in the event that any patent granted on U.S. Patent Application Serial No. 09/396,523 expires for failure to pay a maintenance fee, is held unenforceable, and/or invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, has all claims canceled by a reexamination certificate, is reissued, or its term is in any manner terminate prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Please charge our Deposit Account No. 22-0185 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.20(d). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 22116-00005-US5.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 4-26-05

Respectfully submitted,

By 

Burton A. Amernick

Registration No.: 24,852

CONNOLLY BOVE LODGE &amp; HUTZ LLP

1990 M Street, N.W., Suite 800

Washington, DC 20036-3425

(202) 331-7111

(202) 293-6229 (Fax)

Attorney for Applicant